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NEWS FROM MONTANA'S CAPITOL

February 1988

Volume 2, No. 11

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WASHINGTON:

NEWS RELEASE
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY 10/27/88

Secretary of the Interior Don Hodel told Congress today that longstanding problems plaguing federal efforts to serve Indian tribes will continue until the tribes, the Congress and the Administration make a unified effort to "find new ways to work together toward our common goal: to create a framework within which American Indians can improve the quality of their lives."

"The old ways of doing things are not leading to the accomplishment of the goal," Hodel said in testimony prepared for the subcommittee on Interior and Related Agencies of the House Appropriations Committee.

"We believe with bold, creative approaches, perhaps we could develop proposals which work," Hodel said.

Hodel appeared at the hearing with Ross Swimmer, Assistant Secretary for Indian Affairs, who said that fundamental changes are needed to fulfill the proclaimed federal policy of self-determination for Indian tribes.

"It is time to give the tribes the responsibility they seek," Swimmer said. The Assistant Secretary said that inevitably the concept of a paternalistic federal agency will clash with the concept of self-determination and freedom -- one must give way in order for the other to survive. He said this is not an issue of reducing financial support.

"The BIA is expected to address almost every social and economic ill known to mankind through approximately 100 discrete programs," Swimmer noted. An already overwhelming task is further complicated by a lack of agreement among the tribes, Congress and the Administration as to priorities among the many responsibilities.

Swimmer pointed out that BIA currently has responsibilities for delivering some form of virtually every federal, state and local program. For example, the BIA has responsibility for schools, colleges, police departments, courts, social services, job training and employment programs; acts as a bank for deposits, payments, investments and credit programs; is a trustee of tribal and individual Indian assets; oversees forests and fisheries; employs agronomists and archaeologists, minerals and mining experts; operates irrigation and power systems; builds houses, dams, roads, schools and jails; and provides technical assistance.

The Assistant Secretary emphasized that he was not suggesting the Federal Government abandon programs or reduce funding where there is need among American Indians.

"We should specifically identify those federal programs which deal with the management of Indian trust resources such as lands, mineral resources and trust funds," as well as those managed by other federal

agencies, Swimmer said. "It is a responsibility of the entire Federal Government to ensure that the best available services are provided in connection with the management of Indian lands, resources and trust funds."

Federal support for other than trust services should come through a new category of funding which could be included in the BIA budget for true self-determination grants, Swimmer said.

"With these self-determination funds the tribes would have complete autonomy in determining what programs would be provided," Swimmer explained. "Tribes not wishing to operate programs directly could contract with the BIA to operate the programs for them. Thus, rather than having programs which the tribe can contract from the BIA, the tribes could design their own programs and contract them to the BIA, or if they chose, to another federal or local agency"

Earlier this year, the Department recommended placing control of Indian education programs at the local level; combining a number of disparate programs to create a unified job-training/job-creating effort as an alternative to welfare; standardizing contract support payments, while including a subsidy to stabilize funding to small tribal governments; and, securing competent, professional private sector assistance to manage properly approximately \$1.7 billion in Indian trust funds.

STATEMENT OF THE SECRETARY OF THE INTERIOR - DONALD PAUL HODEL
Subcommittee on Interior and Related Agencies
Committee on Appropriations
United States House of Representatives - 10/27/87

Mr. Chairman and Members of the Subcommittee: I am pleased to have the opportunity to appear before the Subcommittee today to discuss the relationship between American Indians and Alaskan Native people and the Federal Government. Establishing an appropriate relationship between Indian people and the Federal Government has been a serious dilemma for more than two centuries.

I would like to remind you, Mr. Chairman, that when I first appeared before you, we addressed three major problems in the Department of the Interior: One was the Minerals Management Service's royalty management program, on which we have made significant progress; the second was computers, on which there has also been significant progress; and the third was Indians, on which we had no consensus on how to solve the problem.

Over the years there have been conflicts in cultures, conflicts in goals, conflicts in approaches to solving problems. As many reports point out problems persist in education, health, law enforcement, and the delivery of services. The Federal Government over many Congresses and Administrations has tried innumerable ways to solve the problems. It has passed so many laws that the portion of United States Code related to Indian Affairs is about the same size as that related to labor law or laws governing the Congress. The Government has poured

billions of dollars into Indian programs -- nearly three billion dollars appropriated annually in recent years, about one-third of which is to the Department of Interior.

Time and again the government has set up commissions to examine Indian problems and recommend solutions. Although proposed solutions are many and varied, two major themes recur: the need for economic development on reservations and the desire of American Indians for self-government to decide their own goals and directions.

In 1983 President Reagan's Policy on American Indians reinforced the government-to-government relationship of Indian Tribes with the United States for purposes of self determination for Indian people and promoted both tribal self government and the development of reservation economies.

In keeping with this policy, the President's choice for the Assistant Secretary for Indian Affairs in the Department of the Interior, was a person who would continue to stress the themes of economic development and self-determination. Ross Swimmer is the former Chief of the Cherokee Nation of Oklahoma, the second largest tribe in population in the country. He is the first Chairman of any tribe to lead Indian Affairs for the Department of the Interior. He continues to have the President's and my support.

Since Mr. Swimmer has been in office, the Administration has proposed some of the most exciting and promising initiatives on Indian Affairs in years. But we have not been able to generate broad-based support for these initiatives.

Examples of the initiatives are:

- A self assistance program that would enable a welfare recipient to achieve sustained and meaningful work and skill development.
- Major changes in the area of self determination including a new approach to equitably funding tribal indirect contracting costs and funding a new program targeted at enhancing small tribes' capabilities.
- A new plan to improve for full financial trust services for the \$1.7 billion held in trust for tribes and individual Indians by contracting with a qualified financial institution.
- The transfer of the operation of the remaining Federal Indian schools to tribal or public schools through the use of contracting or cooperative agreements. Currently, the Federally and tribally operated schools account for 10 percent of all Indian students nationwide and such a transfer would move the policy and decision making to the local level.

Because of the diversity and complexity of tribes, almost every proposal to change the status quo in Indian country is met with fear and

resistance. To attain a consensus among 500 such groups has been impossible. To obtain congressional concurrence in major changes has been extraordinarily difficult.

Mr. Chairman, we view this as a new opportunity to focus attention on the need to get unified with the Congress and tribal leaders -- a chance to focus attention on the fundamental problem. The tribes, the Federal employees, the lobbyists and the political leaders in Congress and the Administration must find new ways to work together toward our common goal: to create a framework within which American Indians can improve the quality of their lives. The old ways of doing things are not leading to the accomplishment of this goal. We believe with bold, creative approaches, perhaps we could develop proposals which would work. It is in that spirit that I appear before you today -- ready to work with you, American Indians, and Alaskan Native to meet that goal.

Assistant Secretary Swimmer and the Department of Interior Solicitor Tarr are here with me to discuss improved relationships between Indian tribes and the Federal Government, new approaches to funding for the tribes, and to respond to the areas of concern that the Subcommittee may have. Mr. Swimmer has prepared a statement which he would like to summarize for you.

STATEMENT OF ROSS SWIMMER, ASSISTANT SECRETARY - INDIAN AFFAIRS
SUB-COMMITTEE ON INTERIOR & RELATED AGENCIES, UNITED STATES HOUSE OF
REPRESENTATIVES, 10/27/87

Mr. Chairman and Members of the Committee, I appreciate the opportunity to appear before the subcommittee today to discuss current problems and future directions for the Bureau of Indian Affairs. I want to attempt to provide an overall perspective of the far-ranging responsibilities the Administration and the Congress have placed on the Bureau of Indian Affairs.

With the exception of National defense and health care, some form of virtually every other federal, state and local program is found in the Bureau of Indian Affairs: BIA operates schools and colleges, police departments, courts, social services, job training and employment programs. It acts as a bank for deposits, payments, investments and credit programs, and as a trustee of tribal and individual Indian assets. The Bureau oversees forests and fisheries, and irrigation and power systems. It employs experts in mining and minerals, and agriculture and archeology. The Bureau builds houses, dams, roads, schools, and jails. Bureau employees operate programs while preparing to work themselves out of a job by providing training and technical assistance to allow tribal contracting. The Bureau must meet federal trust responsibilities while encouraging tribal self-determination.

The Bureau of Indian Affairs is expected to address almost every social and economic ill known to mankind through approximately 100 discrete programs. The BIA provides services to almost 500 tribes and Alaska Native groups in 30 states from California to Maine. Rather than asking

why there are problems in the operation of Indian programs, we should ask how anyone can realistically think that one Bureau could fulfill such expectations.

If a member of Congress requests funds to expedite cadastral surveys in his state, the Committee does not add the money to the Smithsonian budget -- it goes to the BLM because they have the expertise. Funds to increase reforestation efforts go to the Forest Service, not the Bureau of Mines. Yet, if these activities were proposed for Indian country, the money would not be added to the Bureau of Land Management or the Forest Service but to the budget of the Bureau of Indian Affairs -- not because we have the best surveyors or the best foresters, but simply and solely because it is an Indian project.

We are all responsible for this anomaly: the Administration, the Congress and the Indian tribes. No one identifies a need in Indian country and then ask which Federal agency is most capable to do the job. If it's not health related, the responsibility is usually given to the Bureau.

There are obvious reasons for this. We want to hold someone accountable; we want to be able to readily identify expenditures for Indian programs; and we want to ensure that within the competing demands for Federal services, the voice of the Indian people is heard. Title 25 of the Annotated Code is almost 1500 pages long and the regulations governing Indian programs cover more than 800 pages. Felix Cohen's Handbook of Federal Indian Law states: "The federal law governing Indians is a mass of statutes, treaties, and judicial and administrative rulings, that includes practically all the fields of law known to textbook writers -- the laws of real property, contracts, corporations, torts, domestic relations, procedure, criminal law, federal jurisdiction, constitutional law, conflict of laws, and international law. And in each of these fields the fact that Indians are involved gives the basic doctrines and concepts of the field a new quirk which sometimes carries unpredictable consequences." There are over 4,000 different treaties and statutes which have been approved. The Bureau is often criticized for not meeting all of its responsibilities but those responsibilities have become truly monumental, and in some cases, conflicting.

Even with all these duties, it might be possible for the Bureau to operate in a manner which meets with the approval of the Administration, the Congress, and the tribes -- if everyone could agree on the priorities. What is the most important program of the Bureau -- where should we concentrate most resources and energies? What program is second on the list? And so on, until we can name the least important program of the Bureau of Indian Affairs. I would suggest that if you posed that question -- program specific -- to each tribe and each Member of Congress with an interest in Indian affairs, that you wouldn't get a dozen identical lists. There simply is no agreement on the priorities of the Bureau of Indian Affairs. No agreement among tribes, members of Congress, or even among employees of the Bureau. Without such basic consensus among those who pass the laws, those who are charged to carry out the laws, and those whom the laws are designed to serve, how much of the fault can really be laid on the management of the Bureau?

Let me give an example of what this multiplicity of programs means at the local level: one employee at an agency office in Oklahoma is responsible for certifying general assistance clients and applicants for child welfare assistance. This person also approves expenditures from individual trust accounts held for incapacitated adults and minor children. In addition, this employee oversees the scholarship, adult education, and adult vocational training programs. And for next year, the tribe has recommended that this individual also assume all clerical duties associated with the programs. Which portion of this job should the individual do first and spend the most time on? This is not necessarily an extreme example, because at the agency level, many individual programs have relatively few dollars and small workloads, thus, making it impossible to justify a full-time position for each.

We recognize that Congress is sincere in its desire to help Indian people. Please believe that we at the Department of the Interior share this desire. I would agree that the administration of Indian programs has been and continues to be plagued with many problems, programs deficiencies and shortcomings. I have tried, and will continue to try, to work with Congress and the Indian tribes to resolve these issues. Having served as a tribal chairman for years, when I came to Washington I had some ideas on changes that could be made to improve Bureau operations. A number of these ideas -- none of which was associated with a budget reduction -- met with approval of the Secretary and the Administration and were included in the Bureau's budget proposal for fiscal year 1988: placing control of education programs at the local level; combining a number of disparate programs to create a unified job training - job creation effort as an alternative to welfare; standardizing contract support payments, while including a subsidy to stabilize funding to small tribal governments; and securing competent, professional, private sector assistance to properly manage one and one-half billion dollars in trust funds. Unfortunately, the Bureau apparently did not present a sufficiently compelling case for adoption of these recommendations, as most have met with strong opposition.

In your letter of October 16, 1987 requesting that we appear for this hearing, reference is made to the report of the American Indian Policy Review Commission which stated that present budgetary practices do not provide an equitable share of Federal appropriations for Indian services and that there was one Federal administrator for every 19 Indians. You asked that we be prepared to address ways of assuring a greater pass-through of appropriations to tribes themselves rather than to layers of the BIA bureaucracy.

We are prepared to make two very basic recommendations which I believe will accomplish what you seek. Before addressing those, however, I would like to clarify the record regarding the so-called "bloated bureaucracy" of the BIA. Employment in the Bureau of Indian Affairs has decreased by 20 percent since 1976. That is remarkable enough, but when one considers that during this same period of time, the Indian population served by the Bureau had increased by 30 percent, the difference is even more striking.

With respect to the recommendations I am about to make, it is understood that working out the details will require time and effort, but it is an effort the Department is willing to make if the tribes and the Congress will do the same. I should also stress that the views set forth in my statement are solely those of the Department of the Interior and should be viewed as such. The development of specific recommendations will require coordination with other affected executive branch agencies prior to submission of an Administration proposal.

First, we should specifically identify those federal programs which deal with the management of Indian trust resources, i.e. lands, minerals resources, and trust funds. Trust programs need to be distinguished from other programs which may be necessary and important, and which may meet very real needs, but do not involve the management of trust assets. I would not argue against the need for other programs in addition to those necessary to fulfill trust responsibilities but "need" does not necessarily equate with "trust responsibilities."

We should then determine if there are other agencies of the Federal Government more capable to upgrade and carry out the various program functions involved in the management of trust assets. These programs should not reside solely within the Bureau of Indian Affairs -- it is a responsibility of the entire Federal Government to ensure that the best available services are provided in connection with the management of Indian lands, resources and trust funds.

The Bureau of Indian Affairs and the Indian Health Service are subject to "Indian preference" in hiring and promotion of employees. I fully subscribe to the intent of Indian preference, and feel that the fact that 83 percent of BIA employees are Indians is proof of our sincere attempts at compliance, but it should be examined in context of changed conditions. Less than one-half of one percent of the population of the United States meets the requirements to be extended Indian preference in Federal hiring. I have been told that of the working-age population, only 47,000 Indians have completed college. The BIA, IHS, national Indian organizations, some Committees of Congress, and hundreds of tribal governments are all competing to obtain the best of a very small workforce. And, of course, not all Indians are interested in working for either the Federal government or tribal governments. Congress has allowed tribal contractors operating programs with Federal funds to waive Indian preference. At a minimum, I think we need to review the categories of employment where we currently have, or are projecting, a shortage and be granted waiver authority at the Federal level.

The following recommendation concerns the operation of all other programs which have not been specifically identified through the foregoing process. Our recommendation is that there be only one other category in the Bureau's budget -- true self-determination grants. We currently have a situation where self-determination is limited to allowing tribes to contract for programs which the Bureau has operated in the past. And, the tribes are supposed to run the programs in much the same way as the Bureau had, being held to the same requirements and regulations. If, for instance, a tribe spends education funds on a social service program, that cost would most likely be disallowed under an audit and

the Bureau would be directed to recoup those funds from the tribe. It doesn't matter that the need is real and the funds were put to good use. It only matters that the expenditures was outside the scope of the contracts. This occurs because of the large number of separate programs the Bureau is required to operate, since notwithstanding the rhetoric of self-determination, both the Administration and the Congress want to know exactly how much we are spending on every conceivable activity in Indian country.

A formula should be established as the basic for the distribution of these self-determination funds. Since the bureau's budget is based largely on historical spending, including tribal-specific increases over a number of years, there is currently a great disparity in funds available to similarly situated tribes. In establishing the formula, we would suggest that it be based primarily on a per capita distribution, with some adjustment for small tribes, and perhaps, an adjustment for tribes which have no economic or natural resource base. The per capita distribution should address the expansion of many tribes' membership criteria.

With these self-determination funds the tribes would have complete autonomy in determining what programs would be provided. Tribes not wishing to operate the programs directly could contract with the Bureau to operate the programs for them. Thus, rather than having programs which the tribe can contract from the Bureau, the tribes could design their own programs and contract them to the Bureau, or if they chose, to another Federal or local agency. This would also address the question of the size of the BIA labor force. Once the statutory responsibilities were defined and staff resources identified to meet these responsibilities the size of the BIA workforce would be a result of specific tribal requests for services. It would be necessary to establish some broad parameters in that the use of the funds would have to be legal; that it comport with certain minimum standards with respect to protection of individual rights and public safety; that programs contracted to the Bureau not include requirements which civil servants are not otherwise allowed to perform; and that sufficient advance notice be given for any new program to be contracted to the Bureau so that appropriate staff could be made available.

While these recommendations sound fairly straightforward, I do not underestimate the time and effort that would be involved in reaching a consensus with the tribes and the Congress in identifying those specific activities required to meet the statutory responsibility, or in devising a fair way to distribute the remaining federal resources. Such an undertaking could, however, profoundly affect the way the Bureau of Indian Affairs currently operates and would better enable the Department and the Bureau to carry out their responsibilities once we have all agreed on exactly what those programs should be.

It would also provide much needed changes by making self-determination truly meaningful. Responsibility would properly be placed at the tribal level for the design and oversight of programs that respond to local needs. Such action would be consistent with President Reagan's 1983 statement on American Indian policy, which reinforced the policy

developed during the Nixon Administration endorsing self-determination and government-to-government relationship with Indian tribes. A policy statement without a concomitant change in structure and direction to implement the policy, has hampered the ability of the Federal government to meet the raised expectation of the Indian people.

True self-determination cannot be limited to programs designed 50 years ago -- or even those designed 15 years ago. Those programs and delivery systems represent Washington's view of what is needed or what will work on reservations; and, being Bureau-wide program, they also operate on the assumption that what works on the Navajo reservation should work on the Mississippi Choctaw reservation.

True self-determination must mean more, and it is time to revisit the concepts of self-determination and self-government -- not merely to tinker with the law which maintains a contractual relationship between the Bureau and the tribes within the limitations imposed by pre-established funding levels for specific programs. It is time to give the tribes the responsibility they seek. That concludes my opening statements, Mr. Chairman. We are prepared to discuss the issues raised in the news articles, as well as other matters the Committee may wish to address. While we would have written the news articles differently, at least what was written gives us the opportunity to respond to these concerns.

SWIMMER: 'REVISIT SELF-DETERMINATION SELF-GOVERNMENT'
Indian News, Vol 11, No. 32 10/13/87

Congress, the Administration and tribal governments should revisit rather than "tinker" with the concepts of self-determination and self-government, Assistant Secretary for Indian Affairs Ross Swimmer testified October 27 before a House subcommittee. The House Appropriations Subcommittee on Interior and Related Agencies held an oversight hearing to discuss a series of articles published in the Arizona Republic, which was critical of federal Indian programs. Chairman Sidney Yates (D-Ill) also invited Interior Secretary Don Hodel and numerous tribal leaders to testify on accusations made in the newspaper series and to discuss the future of Indian affairs. Swimmer pointed out that with the exceptions of national defense and health care, almost every federal program is found in the BIA. "The Bureau of Indian Affairs is expected to address almost every social and economic ill known to mankind," said Swimmer. He said that despite all these duties, the BIA might operate in a manner which meets the approval of the Administration, the Congress and the tribes if everyone could agree on priorities. "There simply is no agreement on the priorities of the Bureau of Indian Affairs. Without such basic consensus among those who pass the laws, those who are charged to carry out the laws, and those whom the laws are designed to serve, how much of the fault can really be laid on the management of the Bureau?" Swimmer asked. Responding to a letter from the committee asking that he address ways to improve the pass through of funds to tribes, Swimmer offered two recommendations. The assistant secretary said that each activity of the BIA should be closely scrutinized to determine if it falls under the definition of trust. It should be

determined if there are other federal Agencies more competent to meet those specific needs. "It is not essential that Federal trust responsibility reside solely within the Bureau of Indian Affairs -- it is a responsibility of the entire federal government," Swimmer said. Secondly, Swimmer recommended that true self-determination grants be the only other category of the BIA's budget. He said a formula should be established as the basis for determining what programs would be provided. "True self-determination cannot be limited to programs designed 50 years ago -- or even those designed 15 years ago," Swimmer said. "True self-determination must mean more, and it is time to revisit the concepts of self-determination and self-government -- not merely to tinker with the law which maintains a contractual relationship between the Bureau and the tribes within the limitations imposed by pre-established funding levels for specific programs.

HODEL, SWIMMER MEET WITH LEADERS:
Indian News, Vol. 11, No. 33, 11/2/87

Interior Secretary Don Hodel and Assistant Secretary for Indian Affairs Ross Swimmer met with the representatives of more than a dozen Indian tribes October 28 to discuss ways to improve federal Indian programs operated by the Bureau of Indian Affairs. The meeting followed a day-long hearing October 27 before the House Interior Appropriations Subcommittee, where Hodel, Swimmer and tribal leaders spent over eight hours testifying on BIA problems and methods of overcoming those problems. Swimmer said there was broad agreement among the Administration, the Congress and tribes on the need for fundamental change in the Bureau of Indian Affairs. In addition, there was some support for a proposal Swimmer announced during the hearing to provide direct funding to tribal governments. Swimmer said the BIA will be exploring the possibility of beginning several pilot projects with those tribes that agreed with the direct funding concept. "We believe we reached some consensus with the tribes that were there on several issues," Swimmer said following the meeting. "There was a basic agreement on the need for change in the BIA. We agreed that tribes need to assume more responsibility for their budgets, have more autonomy and have less federal interference." Swimmer said the BIA offered to seek authority through the fiscal year 1988 budget for a pilot program with a small number of tribes who would receive direct funding for their budgets. Hodel and Swimmer made it clear that the proposal would occur only as a pilot program and without budget cuts. The two Interior officials urged tribal leaders to seize the opportunity of heightened awareness in the media and in Congress to make constructive changes in the BIA.

BELLEN APPOINTED COUNSEL
The Lakota Times, January 27, 1988

Washington: Ken Bellen, a prosecutor in the Iran-Contra Affairs, has been appointed chief counsel to investigate the Bureau of Indian Affairs

Bellen is currently organizing his office getting a staff together and working on a budget.

He said the initial focus will be on mineral rights based on allegations brought to light by a series in The Arizona Republic and stories in the Tulsa Tribune.

Bellen, a lawyer with a background in investigation, plans to hire additional attorneys and investigators and travel to reservations throughout the country.

"We have no intention of rushing this and plan to do a thorough job," Bellen said.

He is currently working out of Arizona Sen. Dennis DeConcini's office until office space can be found for him.

NEW INDIAN HOUSING BILL (S.1987)
HAC News, 1/27/88

A New Indian housing bill was introduced by Sen. Daniel Inouye (D. Hawaii), Chairman of the Select Committee on Indian Affairs, on December 21, 1987. The bill would codify and consolidate HUD Indian housing as a separate title of the 1937 Indian Housing Act. Hearing will be scheduled for later this year.

JOHN SAM TO HEAD INDIAN EDUCATION PROGRAMS:
The Lakota Times, January 27, 1988

Washington: The Education Department had named John L. Sam to direct its \$66 million Indian education programs.

Sam, 43, a member of the Cherokee Tribe, has been a federal education official for the past decade and formerly taught in the Sand Springs, Okla., public schools.

He also once directed the federally financed Indian education program in Sand Springs.

In his new job, Sam will work closely with the National Advisory Council on Indian Education, the Bureau of Indian Affairs, Indian communities and other groups, the department said in its announcement.

INDIAN HEALTH SERVICE ELEVATED TO AGENCY STATUS
Indian News, Vol. II, No. 38, 12/21/88

Washington: The Indian Health Service will be elevated from its current status as part of the Health Resources and Services Administration to an agency of the Public Health Service. The move brings IHS one step higher in the decision making ladder of the U. S. Health and Human Services Department. IHS will join agencies like the Food and Drug Administration and the National Institutes of Health as an agency of the Public Health Service. HHS Secretary Dr. Otis Bowen announced the move December 4. "Raising the status of the Indian Health Service from a bureau to an agency signals our commitment to improving the health of American Indians and Alaska Natives," Bowen said. "By allowing a higher level of tribal involvement in health care issues, we are carrying out President Reagan's 1983 Indian Policy Statement." IHS provides health care to about one million American Indians and Alaska Natives in 34 states. Its comprehensive delivery system consists of programs managed and operated by IHS and various tribes. The Service employs 11,000 and operates 45 hospitals, 72 health centers and more than 250 smaller stations and satellite clinics. Tribes have contracted for 6 hospitals, 69 health centers and operate all of the smaller clinics.

COURTS

PROSECUTOR APPOINTED TO INVESTIGATE BIA:
WAMPANOAG TRIBE RECEIVES \$4.5 MILLION
Winds of Change, Vol. 2, No. 4, 12/87

The Native American Rights Fund recently announced that President Reagan signed into law a bill which settles the land claim of the Wampanoag Tribal Council of Gay Head, Inc. to the town of Gay Head, Massachusetts.

The tribe's claim to the town of Gay Head was based on the 1790 Non-intercourse Act. This law, which is still in effect, prohibits the transfer or sale of tribal lands without approval from the federal government. Land transfers made in violation of this act are void.

The Tribe alleged, in a lawsuit filed in November of 1974 that the Nonintercourse Act was violated in 1870, when Massachusetts transferred the Tribe's ownership of nearly 3,000 acres in Gay Head to the town of Gay Head.

With this settlement, the Tribe will acquire 178 acres of land suitable for housing. An additional 250 acres will be held in trust for the Tribe but will be kept in its natural state. This land has ceremonial and cultural significance for the Gay Head Wampanoag Tribe. The cost of the settlement, \$4.5 million, is being shared equally by the state and federal governments.

The settlement lands will be held in trust for the Tribe and will not be subject to town or state taxation unless used for commercial purposes. The state retains civil and criminal jurisdiction.

Gladys Widdiss, current chairperson of the Tribe stated: "I'm glad it's finally happened. It's a great day for the Tribe and will provide housing and employment opportunity for us. There is still much to be done, but thanks to the settlement, our tribal future looks brighter than it has for a long, long time."

Henry Sockbeson, attorney for the Native American Rights Fund, a non-profit Indian law firm handling the matter since 1983, stated, "It has taken years of effort, but now a long standing injustice has been corrected. The Tribe has sufficient land to meet their housing, employment, and cultural needs for many years to come.

The Native American Rights Fund (NARF) is a non-profit Indian legal profit organization representing Tribes, groups, and individuals throughout the United States. Its offices are at 1506 Broadway, Boulder, Colorado 80302-6296.

TRIBE TO APPEAL COURT'S DECISION
Glacier Reporter, 1/28/88

On January 2, the Blackfeet Tribal Court decided two cases involving challenges to the Blackfeet Tribal Possessory Interest Tax. The court upheld the validity of the tax applied to Continental Pipeline, but ruled against the tax as applied to Glacier Electric Cooperative.

The Blackfeet Tribe is pleased with the ruling in the Continental Pipeline case and believes it sets a strong precedent for the validity of the application with the tax to all other taxpayers. The tribe disagrees with the tribal court's decision in the Glacier Electric case, and plans to ask the tribal court to reconsider its ruling and pursue an appeal if necessary.

The tribal court was persuaded by Glacier Electric's status in federal laws governing the ruling of rural electric cooperatives, and the fact that Glacier Electric passes on the tax to its members, prohibits the tribe from taxing. The state and county also tax Glacier Electric and those taxes are also passed on to cooperative members. The tribe believes that the court's interpretation of the factors was erroneous and plans to appeal the decision if its request for reconsideration is denied. In any case, the grounds on which the court ruled to invalidate the tax as to Glacier Electric would not apply to any other taxpayers and would not serve as a basis to invalidate application of the tax to other taxpayers.

CROW TRIBE'S LAWYERS FILES FOR MONEY
The Billings Gazette, 1/30/88

The Crow Tribe has filed a motion in U. S. District Court in Billings asking that \$28 million in an escrow account be released to the tribe.

The money is severance and gross proceeds taxes on Crow owned coal that has been collecting in the account since 1982. The U. S. Supreme Court earlier this month upheld a decision by the Ninth Circuit Court of Appeals that the state can not impose its taxes on Crow Coal.

The motion to release the money was filed Thursday by Daniel M. Rosenfelt of Albuquerque, N. M., an attorney for the tribe.

The motion asked that the court retain 7 percent of the money to be used to pay attorney fees and expenses. It asked that 7 percent, about \$1.96 million, be dispersed at the request of Rosenfelt.

U. S. District Judge James Battin had not ruled on the motion yet.

Meanwhile, the tribe is deciding how the money should be used.

Dewitt Dillon, public affairs officer for Chairman Richard Real Bird, said Friday that meeting were being held daily with a variety of groups to discuss possible investments.

Dillon said it would be premature to comment on specific projects.

According to John Flink in the Montana attorney general's office, the state had not decided whether to ask the U.S. Supreme Court for a rehearing of the case. He said no decisions have been made yet on what action the state will take next.

U. S. SUPREME COURT UPHOLDS DECISION ON CROW COAL TAX The Billings Gazette, 2/2/88

The U. S. Supreme Court upheld a decision prohibiting the state from taxing coal mined on the Crow Indian Reservation. This decision will cost the state \$27.4 million in taxes that were held in escrow pending resolution of the case.

CROW CLAIM TO MONEY CHALLENGED The Billings Gazette, 2/12/88

Utility customers of Westmoreland Resources are preparing to challenge the Crow Tribe's claim to \$28 million in protested coal tax money.

According to documents filed Thursday in U. S. District Court in Billings, the utilities are expected to contend that they paid the taxes and that they are entitled to the money now in the hands of the federal court.

Their claim may go beyond the \$28 million - which has been collecting in the escrow account since 1982 - and extend back to 1975, when the 30 percent coal severance tax was first imposed by the state of Montana. Westmoreland paid an additional \$38 million in coal taxes between 1975 and 1982.

The U. S. Supreme Court last month ruled that the state had no authority to tax tribally owned coal. Not long after the ruling, the tribe asked U. S. District Judge James Battin in Billings to release the money to the tribe.

Money in the escrow account was paid by Westmoreland, the only company mining Crow-owned coal. Court documents said the utilities actually paid the state taxes under a "passthrough" clause in their contracts with Westermoreland.

On Thursday afternoon, Westmoreland attorneys filed a motion in opposition to the tribe's request. The documents said Westermoreland did not oppose the tribe's motion on its merits because of previous agreements with the tribe to pay it the taxes if the state taxes were eliminated.

"But utility customers have told Westmoreland that they intend to assert claim to these funds in the hands of the court and also intend to seek to recover all previous tax payments from Westmoreland" documents said.

In addition to opposing release of the money, Westermorland asked that its utility customers be joined as parties to the lawsuit because of their claim on the tax money. The utility customers Westmoreland asked to have added to the case are Northern States Power Co., Dairyland Power Co-op, Interstate Power Co., Wisconsin Power and Light, Upper Peninsula Generating Co., Wisconsin Electric Power Co., and Central Illinois Light Co.

In other documents in the Crow lawsuit against the state, the Internal Revenue Service has filed a \$684,196 levy for unpaid Crow taxes.

Members of the Crow Tribe will meet Saturday at 1 p.m. at the War Bonnet Inn in Billings, according to tribal official Bernard Pease.

The Tribe's recent victory over Montana's 30 percent coal severance tax will be discussed

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AROUND THE STATE:

TWO MORE JOIN HALL OF FAME

Susie Walking Bear Yellowtail and K. Ross Toole installed in Capitol's west wing gallery, The Independent Record, 1/28/88

A benevolent Native American nurse and a dynamic Montana historian became the two newest Outstanding Montanans in the Capitol's west wing gallery Wednesday.

Susie Walking Bear Yellowtail and K. Ross Toole were inducted posthumously into the state's hall of fame. Two honorees are chosen every two years and rotated into the nine commemorative niches in the gallery,

which feature photographs of the famous Montanans and short pieces about their lives.

At the ceremony, Bill Lang, editor of the Montana Historical Society's magazine, read about the two honorees from information compiled by historical librarian Dave Walter.

Governor Ted Schwinden and Historical Society Director Bob Archibald then presented framed certificates to the spouses of Yellowtail and Toole - Tom Yellowtail of Wyola and Joan Toole of Helena.

Susie Yellowtail (1903-1981) obtained as complete an education that an Indian woman in a post-World War I white society could get, and became the first American Indian graduate registered nurse.

Yellowtail dedicated her life to helping Native Americans and served as a bridge between her own people and non-Indian. Although she lived on the Crow reservation, she traveled extensively and was nationally known.

For the U.S. Public Health Service, Susie visited reservations throughout the nation, assessing health, social and education problems and recommending solutions.

She was appointed to the President's Council on Indian Education and Nutrition; the U. S. Department of Health, Education and Welfare's Council on Indian Health; and was a member of the President's Special Council on Aging.

K. Ross Toole (1920-1981) is known as Montana's premier historian. He believed knowledge of history was essential for practical action in the present, and for good planning for the future. "It seems pretty silly to proceed into the future, if you don't know where the hell you came from," he said once.

Toole, a fourth-generation Montanan with strong persuasive qualities, had a passionate love for Montana - a love which infected many of his students and readers.

He was director of the Montana Historical Society from 1951-58, authored many articles and several books, including Montana; An Uncommon Land, and became one of the most popular and influential history teachers ever at the University of Montana.

CENTURY CITIZEN PROJECT HONOR ROBERT SUMMERS YELLOWTAIL, SENIOR
February 4, 1988

The Lodge Grass - Hardin basketball game was the occasion chosen by the Century Citizens Program to honor Robert Summers Yellowtail, senior, the oldest living Montana Crow Indian.

The Century Citizen Project, a special project to identify Montanans who will be 100 years of age or older in 1989, is a project of the Governor's Council on Aging and the Montana Gerontology Society in Missoula.

The project is sponsored by a donation from Mountain Bell of Montana and is administered by the Statehood Centennial Office. The project involves seeking nominations, presenting awards and documenting the memories of the state's eldest citizens.

Mr. Yellowtail, who became 100 years of age on August 4, 1988, has lived under almost half of the total U.S. presidents in his lifetime and has had personal dealings with most presidents since Grover Cleveland the 22nd president. Mr. Yellowtail has had many years of rich experiences in his public service and contributions to the nation's government that he has such deep feeling for - some high-lights include: Being the first Indian appointed jointly by the Secretary of Interior and the Indian Affairs committee of both Congressional houses to the position of Deputy Assistant Secretary of Interior for Indian Affairs. He was offered an honorary title of law by representatives of the Montana University Law School.

When Mr Yellowtail was only 19 years of age he was entangled in a legal debate with Senator T. J. Wash (considered at the time to be the most brilliant legal mind in the senate) and defeated him in debate before the Indian Committee of the U. S. Senate over Crow tribal rights. He was included in a list of outstanding dignitaries in and out of U. S. Government who served as advisors to many Secretaries of Interior.

Mr. Yellowtail has been involved in Crow Tribal politics for 70 plus years. He served as tribal chairman and recently ran for election as tribal vice-chairman. He currently resides at his family home in Lodge Grass with his wife Dorothy.

The presentation was made by Lieutenant Governor Gordon McOmber. Other persons attending the presentation were Dan Walker, Director of Public Relations for Mountain Bell, other tribal dignitaries and Mr. Yellowtail's family.

ACTIVIST RUSSELL MEANS TO TOUR FORT PECK Great Falls Tribune, February 13, 1988

Indian activist Russell Means plans to arrive February 26 and spend several days on the Fort Peck Reservation, the head of a local group working for children's rights said Friday.

Means will tour the reservation, evaluate the treatment of children and help plan a statewide conference on civil rights and children's rights said Chauncey Whitright III, director of the Walks Far Society.

Means may also visit some of the schools on the reservation. Means is coming to the reservation because he was asked by the Walks Far Society Whitright said.

JOBS TO BE OCCUPIED BY TRIBAL MEMBERS
Great Falls Tribune, 2/2/88

The Confederated Salish and Kootenai Tribal Council wants all tribal jobs to be occupied by tribal members by 1995, tribal officials say.

The formula for reaching that goal remains to be developed, but tribal departments already are planning the ground work.

A survey went out in October to about 4,600 tribal members on the reservation and scattered all over the country asking them for information about their education, training and work experience, said Teresa Wall McDonald, tribal personnel director.

About 1,000 responses returned so far reveal a diversity of talents among tribal members, McDonald said. At least 200 have taken post-secondary vocational or college courses; 90 are pursuing higher education; 155 have received associate or bachelor's degrees; and 28 have graduate degrees.

TRIBAL CHAIRMAN: DON'T TURN TO D.C.
Great Falls Tribune, 2/2/88

Local officials should solve the problems with the Flathead Irrigation Project instead of turning to Washington, D. C., according to Michael Pablo, Tribal Council chairman of the Confederated Salish and Kootenai Tribes.

Since 1904, Congress has passed 83 bills affecting settlement of the reservation or management of the irrigation project, and "we still have a mess", Pablo said, "Anything that's going to be done is going to have to be done here and taken back there."

Pablo also called for greater public involvement in project management suggesting that the Joint Board of Control representing reservation irrigators wields influence disproportionate to its actual size.

On a reservation with about 20,000 inhabitants, the project collects operation and maintenance fees from only 1,740 tracts of land, he said.

Indian holdings amount to 13,202 acres. The tribes own another 15,248 acres, exclusive of easements for reservoirs, canals and substations.

BEEF-PLANT PLANS REVIEWED
The Billings Gazette, 10/29/88

Billings may offer a niche for Native American-controlled businesses, according to Elbert "Butch" Ott, Billings Chamber of Commerce president and chief executive officer.

Speaking to Associated Industries on Wednesday, Ott said he feels confident about a complex arrangement that would reopen the Midland Packing Company beef plant.

The plan, being assembled by Scott Bates of Sacramento, California, calls for the packing plant to be operated by a company controlled by Crow and/or Northern Cheyenne tribes.

Bates, whom Ott said holds an option to buy the midland property, plans to finance the venture through a combination of low-interest loans, his investment and conventional financing.

The Native American involvement would make it possible for the packing company to obtain military meat-supply contracts, Ott said.

The Bates project, in the works for several months, has attracted attention from two other companies that are interested in developing companies with Native Americans, he said. Inquiries have also been made about the Yellowstone Beef Products and Pierce Packing Co. plants, which are both shut down.

Interest in reviving the local meat packing interest is heartening, but some problems must be tackled, he said.

"One thing we need to recognize is that it's necessary to have the raw product - cattle - if you're going to successfully operate a packing plant," Ott said. "Cattle numbers are down substantially in the area and we must rebuild the herds."

"It is very difficult to persuade businesses to come to Montana if all you offer is blue sky, clean water and mountains," he said. "Business are interested in making profits."

CONDITIONS SET ON INDIAN CARE - HAVRE Great Falls Tribune, 1/29/88

Northern Montana Hospital trustees have set a number of conditions they want met in order to enter a contract to provide non-emergency medical care to much of the area's Indian population, an Indian Health Service Official said.

IHS pays the medical expenses of Indians who do not qualify for Medicaid or other health payment programs and who need treatment that can't be provided by the reservation clinics. If an agreement isn't reached between the hospital and IHS, many Indians living in Blaine and Hill Counties will have to travel to Great Falls or Browning to receive non-emergency hospital care.

Garfield Little Light, director of the region's Contract Health Service, said he had a brief conservation with hospital administrator Gerald Bibo Wednesday night but that Bibo wouldn't describe their contract terms. He said he expects to receive official notification in the mail today.

Little Light said he was disappointed and dismayed that the trustees chose to set conditions.

"It's not what I wanted to hear," he said, adding that federal regulations may hamper his negotiating room.

"If the issue raised are not acceptable to us, then we can't have a contract."

Hospital officials, who declined to comment directly, did issue a vaguely worded press release.

The release states that during a meeting Tuesday night, "trustees outlined their areas of concern and stipulated, in their affirmative vote, that these issues be compatibly integrated into their proposal."

New IHS regulations require that hospital and other health care providers bid on contracts with IHS before the federal agency will pay medical costs. Last year, the Rocky Boy's Indian Health Service Unit approved about \$450,000 in payments to Northern Montana Hospital, according to IHS official. The official estimated that the Fort Belknap Health Service Unit probably approved similar payments.

IHS figures show that an average of about 9 patients per week were referred to the hospital just from the Rocky Boy's Reservation since Dec. 1. The IHS official said none of those were emergency cases.

Little Light said patients can be referred to the hospital as long as the contract negotiations continue. He said if an agreement can't be reached, only emergency cases would be sent to the non-profit hospital. And those patients, he said, would have to be moved to Great Falls or Browning when they had stabilized and could safely be transported.

The rift between IHS and Northern Montana Hospital was brought to public light last week at a meeting in Havre attended by hospital and IHS officials and others.

At the meeting hospital administrator Gerald Bibo said the hospital wanted to continue serving the Indian population in the area but that a number of problems needed to be addressed.

A major concern was what he described as a poor reimbursement history of IHS referred patients. He said that many times it was left to the hospital to chase a bureaucratic "merry-go round" for reimbursement. and too often, he said, the hospital never got paid.

Other complaints included hiring preference requirements, the pay schedule described in the new bidding procedures and the practice of sending the simpler, and often more lucrative, elective cases to the IHS hospital in Browning.

Little Light, Bibo and the hospital's attorney talked through a long distance conference call Monday night to try to resolve the problems. Little Light said he had thought that most of the concerns Bibo brought up at last week's meeting were allayed during that call. He said that either that's not the case, or the trustees have other concerns they want addressed before signing a contract.

"

I'm real curious to know what the board's concerns are," he said.

CREE STUDY OFFERED

Great Falls Tribune, 1/31/88

The College of Great Falls Native American Studies department is offering a Cree language course beginning February 13.

Classes will be Saturday and Sunday, 9 a.m. to noon and 1 p.m. to 4 p.m., until March 6. The cost is \$100 and the course is open to all people, according to Harold Gray, the Native American Studies instructor who will teach it.

"In addition to learning the language, people will also be learning about the traditions and culture of the people." Gray said.

Gray, an enrolled member of the Blackfeet tribe who is part Cree, Chippewa and Sarsi, said the Cree have been in Montana since the 1600s. He estimates at least 1,000 people of Cree and Chippewa descent live in Great Falls.

Florence Sun Child, Dorothy Small, Zella Nault and Helen Parker of the Rocky Boy Reservation will teach the class with Gary. "They were all born and raised speaking Cree," he said.

Gray said he intends to offer a Blackfeet language course beginning in March.

COMMITTEE ON INDIAN AFFAIRS

December 12, 1987 meeting

The Committee on Indian Affairs held its first meeting on Saturday, December 12, 1987, at the Capitol. Senator Del Gage was elected Chair and Representative Jerry Nisbet was elected Vice Chair. Other members of the committee are Senator Dick Pinosoneault and Representative Marion Hanson.

The committee heard presentations on a number of different topics. Chris Tweeten of the Reserved Water Rights Compact Commission reported on that organization's progress in negotiating compacts with the tribes. The compact with the Ft. Peck tribes was completed in 1985. Negotiations are underway with the Flathead, Rocky Boy, Northern Cheyenne, and Ft. Belknap. They hope to open negotiations with the Blackfeet in the near future.

Bea Lunda, newly-appointed Indian Child Welfare Specialist, reported on her work so far. A priority for her right now is to develop family resources for Indian children available for adoption. She currently has no adoptive Indian families. She is also looking into some new amendments to the Indian Child Welfare Act.

Clay Smith of the Attorney General's office gave an update on the Crow Coal case. This was followed by Eddy McClure of the Legislative Council who reported on other pending litigation involving the tribes and the State of Montana.

John North of the Governor's staff talked about the Western Governors' Association's study on Indian Issues. Governor Schwinden and Governor Mickelson of South Dakota are co-chairing this study which will look at Indian issues that are fairly universal among the states and propose some possible solutions.

A survey by Legislative Council among the different state departments produced a list of possible study topics. Louie Clayborn, Indian Affairs Coordinator, also made suggestions as to possible topics. After some discussion the committee chose the following topics for study during this interim;

1. state-tribal cooperative agreement on assessment and collection of taxes or license or permit fees (SB 47);
2. cross-deputization agreements;
3. Native American participation in post-secondary education and financial aid available to them;
4. impact of new Indian Health Service rules on state and county programs and urban Indian health clinics.

The committee's next meeting is scheduled for Saturday, March 26, 1988.

ANNOUNCEMENTS:

March 18, is the deadline for applications for Fy'88 Coordinated Discretionary Funds Program, Office of Human Development Services, Administration for Native Americans.

Eligible Applicants:

American Indian Tribes

Alaskan Native villages

Non-profit organizations representing American Indians, Alaska Native, Native Hawaiians or American Samoan Natives

Priority areas:

Alcohol and substance abuse

Youth entrepreneurship

Enterprise Zones

American Samoan Natives residing in U.S.

Matching Funds;

A minimum of 20 percent of the total cost of the proposed project must come from a source other than the Federal Government.

ANA Contact: Sharon McCully 202-245-7714

State Contact: Sue Heath, % Office of the Lt. Governor, Capital Station, Helena, MT 59620, 406-444-5522

GOVERNOR SCHWINDEN'S 1988 "PRIORITIES FOR PEOPLE" (PEP)

Nomination for "Priorities for People" a citizen - oriented process that helps set spending priorities for the Montana Department of Social and Rehabilitation Services (SRS) are now being accepted by the Governor's Office. The success of the process led to the expansion of "Priorities for People" to include programs in the Department of Family Services, Health and Environmental Science, Institutions and Labor and Industry.

Most of the work will be done by five teams, who volunteer up to 3 weeks of their time between March and September to review human service programs and prepare two sets of recommendations for fiscal year 1990-91 spending:

1. prioritized program annual increases equal to 5 percent of the total
2. prioritized program annual reductions equal to 5 percent of the total FY'8888 appropriation for all PFP programs

A nomination application is attached to the end of this newsletter for persons wanting to nominate an individual or himself/herself.

Since the deadline for nominations is February 22, 1988, if you wish to make a nomination please call Virginia Gilbertson (444-3702) in the Coordinator of Indian Affairs office and she will assist you in getting the nomination in on time.

UC-BERKELEY OFFERS GRADUATE DEGREES TO AMERICAN INDIANS
News Release

The University of California at Berkeley is seeking American Indians and Alaska Natives to apply for admission to graduate programs in the professions, which include: social welfare, public health, engineering, business administration, education, public policy, law and many others.

There are many degree programs which lead to satisfying, well paid and useful positions, according to Dr. Rick St. Germaine, director of the American Indian Graduate Program at the University.

For further information, call Dr. St. Germaine collect (415)642-3328 or write to the American Indian Graduate Program, 140 Earl Warren Hall, University of California, Berkeley, California 94720.

AMERICAN INDIAN BOOKS

Governor's Office Of Indian Affairs, Olympia, WA, 1/25/88

MacRae's Indian Book Store has a large collection of good quality books on native Americans, his bookstore can be a source of obtaining information for that research project or just plain good reading.

For more information contact: Macrae's Publications, 1605 Cole St., Enumclaw, WA 98022

NATIVE AMERICANS IN ADULT AND HIGHER EDUCATION PROGRAM Montana State University

The Native Americans in Adult and Higher Education Program (NASHEP), administered through the Center for Native American Studies at Montana State University, is funded under a grant from the Office of Indian Education, U. S. Department of Education. The program is designed to increase the representation of American Indians among the faculties and professional staffs of tribally controlled community colleges and reservation adult education programs. To accomplish this goal, the program provides opportunities for American Indian to strengthen their professional skills and qualifications in preparation for careers in tribally controlled adult and higher education.

Fellowships are offered to qualified candidates who wish to pursue master's or doctorate degrees in Adult and Higher Education or in a major teaching curriculum. In addition, the program will support those candidates who must complete a baccalaureate degree before entering a graduate program.

Stipend and Allowances: The NAAHEP Fellowship includes a monthly stipend of \$600, as well as a dependency allowance of \$90 per month for each dependent. In addition, registration fees and a book allowance are provided.

For further information contact: Coordinator Native Americans In Adult and Higher Education Program, Center for Native American Studies, Wilson Hall 2-152, Montana State University, Bozeman, MT 59717, 406-994-3884

THE AMERICAN INDIAN PROGRAM

National Museum of Natural History/National Museum of Man, Smithsonian Institution, Washington, D. C.

The American Indian Program at the Museum of Natural History was established in October, 1986. Its primary purpose is to be an outreach program to Native American reservations and communities, and to make the

Smithsonian more accessible to Indian people from all walks of life. Housed at the Museum of Natural History is one of the largest collections of objects relating to the American Indian of any museum in the country. These include ethnological objects, archaeological collections, photographs, music, historical archives, and a large research library.

The American Indian Program wants to increase the use of and visitation to the collection by Indian people and encourages phone calls and letters to the address below regarding inquiries about visits and/or research. The Program is especially interested in collaborative projects between reservation and native community institutions and the Smithsonian. These could include exhibits, loans to tribal museums, and tribally initiated research projects. Research internships are available through the American Indian Fellowship program administered by the Office of Fellowships and Grants. These would provide for support of research at the Smithsonian and are designed to accommodate a wide range of interests and backgrounds. Tribal elders are especially encouraged to apply. If you have any questions regarding the Smithsonian, please contact me by phone or mail.

JoAllyn Archambault, Ph.D. (Standing Rock Sioux)
Director, American Indian Programs
National Museum of Natural History
NHB 112
Smithsonian Institution
Washington, D. C. 20560 (202) 357-4760

CDC PLANS FILMS ON STD's
NIHB Health Reporter, Vol. 4 No.7, 10/87

Prevention of sexually transmitted disease (STD) will be the subject of several educational films developed for Indian and Alaska Native communities. The projects, to be carried out by the Center for Disease Control, will focus on the prevention of major sexually transmitted infection - gonorrhea, syphilis, and chlamydia - as well as AIDS.

"We see the development of these educational materials as our top priority, and feel that they will be very important for Native American health education programs," said CDC research scientist Dr. Kathleen Toomey. CDC is looking for Indian artists to provide illustrations for the project, and will pay a stipend for their work. The center is also interested in recommendations on the best way to present this information in the films. For more information, contact the National Indian Health Board, 50 S. Steele, Suite 500, Denver, Colorado 80209

OLDER AMERICANS ACT

NIHB Health Reporter, Vol. 4. No.7, 10/87

House and Senate negotiators have reached an agreement on legislation that would reauthorize the Older Americans Act, and it is expected that the compromise bill will be signed into law. Among the key elements of the legislation are provisions intended to clarify and expand portions of the Older Americans Act dealing with the delivery of services to Indian elders. The reauthorization addresses areas of employment, nutrition and support services, education, training, and grants to Indian tribes. Authorization levels under Title VI, grants to Indian tribes, will be increased, and Indian elders will be made eligible for services under other titles of the act. The legislation will also establish an Indian office within the Administration on Aging to assure greater accountability and program coordination for Indian grantees. In addition to the OAO provisions, the compromise bill includes language to reauthorize programs under the Administration for Native Americans.

PROFILE OF THE MONTANA NATIVE AMERICAN

Copies of the 1980 Profile of the Montana Native American is available, without charge, from the Office of Coordinator of Indian Affairs, 1218 East Sixth Avenue, Helena, MT 59620

BLACK COMMUNITY COLLEGE PRESIDENT GORDON BELCOURT, MESSAGE
Glacier Reporter, January 28, 1988

Since its inception 15 years ago the Blackfeet Community College has reached a record enrollment of 346 students for Winter Quarter 1988. We intend to carry on this excitement by continuing on with our planning for 1,200 students by the year 2000.

The staff of the College has worked hard to achieve full accreditation by the Northwest Association of Schools and Colleges in 1985. Former Presidents Carol Juneau and Don Pepion provided a continuum of leadership and planning that enabled the college to achieve this status.

Currently, College Board Members Ken Weatherwad, Chairman; Mike Madman, Vice-chairman; June Tatsey, Secretary; Doris Old Person, Gene Grant, Elsie Ground, student representatives Marvin Weatherwax and George 'Kicking Woman, council representatives, have provided leadership in the College's growth in curriculum offering and student enrollments.

Besides the current enrollment of 346 students, the College also employs 65 staff people with an annual payroll of more than \$870,000 which is spent on the Reservation. The future is bright for the college and for higher education on the Reservation. We welcome you to join us in our efforts to provide the highest quality of post-secondary education on the Reservation.

WORKSHOPS - SEMINARS - CONFERENCES

FIELD OF AMERICAN INDIAN BUSINESS & ECONOMIC DEVELOPMENT CONFERENCE The National Center, El Monte, California

A two and one-half day conference and summit on the latest and most creative methods and techniques in the Field of American Indian and Economic Development is scheduled for March 31, - April, 1988. For more information call The National Center, 1-800-423-0452

RURAL HEALTH CONFERENCE Northwest Regional Conference

Rural Health: Strategies and Solutions, Friday and Saturday, March 18 and 19, Red Lion Motor Inn, Spokane, Washington, Contact: Inter-collegiate Center for Nursing Education, W. 2917 Fort George Wright Drive, Spokane, WA 99204-5289, (509)325-6146

HEADLANDS INDIAN HEALTH CAREERS PROGRAM ANNOUNCEMENT

An eight-week summer program designed to increase the science and mathematics background and communication skills of American Indian students, presently in their senior year of high school or freshman year of college, and interested in a health career. All expenses paid, \$300 stipend, and 4 semester credits. Application deadline: March 1. For more information call 405-271-2250 or write Headlands Indian Health Careers, P. O. Box 26901, Oklahoma City, OK 73126-9968. Absolute deadline is March 1, 1988

1988 SIXTH ANNUAL AMERICAN NATIVE ART EXHIBIT

The sixth annual American Native Art exhibit and sale will be March 17 through March 19, in Great Falls at Ponderosa Inn, Bonanza room. Featured artist will be Bruce Contway & Roger Broer, sculpture workshop by Gary Schildt. The show is sponsored by the Great Falls native American Art Association. The association is a nonprofit, tax exempt organization which was formed 6 years ago to promote a wider awareness of the cultural heritage of the Native American through art. Shows sponsored by the group provide a forum for the Indian artist. In addition, promising artists are encouraged through sanctioned workshops. This year some of the finest Native American artists from across the United States and Canada will participate in this exceptional show. In 1986, a scholarship fund was initiated in honor of Dr. Murton McCluskey, one of the founders of the group. For the second year, artist Bruce Contway will donate a bronze which will be auctioned at the exhibit with all proceeds placed in the scholarship fund. Also, a watercolor by King Kuka will be donated by Jim and Carol Mailander to be sold at the auction.

MONTANA INDIAN EDUCATION ASSOCIATION CONFERENCE
Cavanaugh's Motor Inn, Kalispell, MT

The Montana Indian Education Association Conference will be held in Kalispell, Montana at Cavanaugh's Motor Inn. The theme for the conference is "Promoting Excellence in Indian Education". The keynote speaker is Lucille Echo Hawk, Associate Director, Council for Energy Resources Tribes. Candidates for the Governor's office and Superintendent of Public Instruction will present views on Indian Education. For more information, contact Rhoda Lankford, Conference Coordinator (406) 721-7091). BILINGUAL EDUCATION MEETING

The Montana Association for Bilingual Education (MABE) will hold their annual convention in Billings on June 7-8, 1988. The convention will be held at the Billings Ramanda Inn. For more information, contact Steve Chesarek at 259-3207.

DIRECTORY OF INDIAN EDUCATION PROGRAMS IN MONTANA

A directory of Indian Education Programs in Montana is currently available from the office of Public Instruction at no cost. This directory lists programs, schools, organizations and agencies in Montana that work in the area of Indian Education. Please call Bob Parsley at 444-3013 to request a copy of this publication.

DISADVANTAGED BUSINESS ENTERPRISE — SEMINAR
Montana Department of Highways

In an effort to increase the number of bona-fide Disadvantaged Business Enterprise firms actively participating in the Federal-Aid highway program, and to contribute to the growth and self-sufficiency of these firms, the Montana Department of Highways in cooperation with the Extended Studies program, Montana State University will provide a "Familiarization Course" to all highway related DBE firms.

Although successful completion of the course is not mandatory at this time, MDOH plans to require completion of the course as a condition for DBE certification. Firms that have adequate experience and expertise in the highway construction industry may challenge the course to obtain certification. Non-highway related firms, consultants, appraisers, jobbers, manufacturers and suppliers may not be required to complete the course as determined by the department.

The "Familiarization Course" is designed to provide the participants with increased business skills and knowledges relating to the highway construction industry. The course will include instruction in estimating, bid preparation, plan reading and takeoff, financing, bonding, record keeping, insurance, payrolls, financial statement analysis, taxes, subcontract preparation, EEO/Labor contract compliance and other MDOH rules and requirements.

The program is designed to strengthen knowledge in construction areas, upgrade experience in the trade and increase contractual opportunities. We are hopeful that you will take advantage of this opportunity.

The "Familiarization Course" schedule for 1988 is:

Billings - March 10, 11, 12, - Shearton

Great Falls - June 9, 10, 11, - Rainbow Hotel

Missoula - September 23, 24, 25, - Sheraton

If you have question, call Rich Munger 444-7609 or Rick Leavelle 444-6375.

MONTANA ASSOCIATION OF COUNTIES Mid-Winter Meeting

Montana Association of Counties mid-winter meeting will be held in Billings, February 16-19. Louie Clayborn, State Coordinator of Indian Affairs will be guest speaker at the Thursday session. Mr. Clayborn will be joined by Tribal Chairmen and Reservation leaders from across the state. Agenda for discussion will be: social service delivery system, taxation, fish and game questions and the recent U. S. Supreme court decision regarding the Crow coal tax.

ANNUAL AMERICAN SPIRIT AWARD DINNER News Release - Peabody Holding Company, Inc. St. Louis, MO

The 1988 American Spirit Award dinner, held annually to raise funds for the Council of Energy Resource Tribes (CERT) Education Fund, is scheduled for Wednesday, April 6 in Phoenix, Arizona, according to Robert H. Quenon, chairman of the dinner and president and chief executive officer of ST. Louis-based Peabody Holding Company, Inc.

Quenon also announced that Kenneth L. Lay, chairman and chief executive officer of Houston-based Enron Corp., will be honored at the dinner as recipient of the American Spirit Award. The award is given to a corporate executive who has supported CERT and its efforts to enhance higher education opportunities for American Indian students in science, engineering and business fields. In 1987, when Lay was the American Spirit Award dinner chairman, approximately \$240,000 was raised for the CERT Education Fund.

CERT is a non-profit organization composed of 43 American Indian tribes, representing nearly 60 percent of Indian reservation lands. These Indian tribes own an estimated one-third of the nation's recoverable low-sulfur coal, 40 percent of its potential privately owned uranium, 4 percent of its oil and natural gas and substantial quantities of oil shale and geothermal resources. Founded in 1975, CERT is governed by

the elected leadership of its member tribes, which represent over one-half of all Indians living on or near reservations today.

Information about the 1988 American Spirit Award dinner is available from the CERT office in Denver: 1580 Logan Street, Suite 400, Denver, CO 80203-1941 (303-832-6600).

6TH ANNUAL NATIONAL AMERICAN INDIAN CONFERENCE ON CHILD ABUSE & NEGLECT
May 16 - 18, 1988, Alburquerque Marriott, Alburquerque, N.M.

For information contact: Protecting Our Children, American Indian Institute, University of Oklahoma, 555 Constitution Avenue, Norman, OK 73037

FSI, 1988 EDUCATIONAL SERVICES INSTITUTES
FSI, will be offering the following workshops in March and April.

Tribal Government, March 1 - 3, 1988

Roles and Responsibilities of Tribal Leaders, March 22 - 24, 1988

Tribal Enrollment, April 12 - 14, 1988

For more information contact:

Educational Services Institute, 5201 Leesburg Pike, Falls Church, VA 22041-3203 (703) 379-2900

NATIVE AMERICAN PRESS ASSOCIATION, 4TH ANNUAL CONFERENCE, March 17, 18 & 19, 1988, Denver, Colorado 80306-1734, Contact: Susan Arkeketa 303-447-8760

FALMOUTH INSTITUTE WORKSHOPS

The following workshops will be presented by the Falmount Institute during the months of March, April & May.

Indian Land and the Law, March 1 - 3 ,1988, Phoenix, AZ

Advanced Cost & Price Analysis, March 7 - 11, Albuquerque, NM

Audit Resolution Under OMB A-128, March 29 - 31, 1988, Albuquerque, NM

Bookkeeping for Grants & Contracts, April 19 - 21, Flagstaff, AZ

Basic Indian Law, April 19 - 21, Las Vegas, NV

Contract Fraud & ABuse, April 26 - 28, Phoenix, Az

Money, Banking and Investing for Tribes, May 3 - 5, Denver C)

For more information on the above workshops contact: The Falmouth Institute, 9001 Braddock Road, Suite 320, Springfield, VA 22151, or call (703) 425-3440

WATER POLICY COMMITTEE MEETING - Montana State Legislature

The Water Policy Committee will meet on Friday, February 26, at 9:00 a.m. in Room 108 of the Capitol Building, Helena, MT. Topic of discussion will be water rights adjudication process study and other topics.

MONTANA PATH PROJECT - INDIAN ADVISORY GROUP

Montana Path Project, Indian Advisory Group will meet March 21 at 9:00 a.m., Ft. Peck Reservation Activity Center. For more information call 449-8611.

POSITION ANNOUNCEMENTS:

University of Montana, Department of Anthropology, Assistant Professor in social/cultural anthropology, Ph.D. required, beginning September 1988. Contact: Katherine Weist, Chair, Search Committee, Dept. of Anthropology, U Of M, Missoula, MT 59812

University of Montana, School of Education, Assistant Professor, beginning September 1, 1988. Contact: Dr. William Patton, Chairman of Search Committee, School of Education University of Montana, Missoula, MT 59812

University of Montana, Assistant Professor, Special Education Faculty Position, beginning September 1988. Contact Sally A. Freeman, Chair, Special Education Search Committee, School of Education, U of M, Missoula, MT 59812

University of Montana, Full-time visiting professor for 1988-89 to teach courses in general administration, secondary administration, school supervision, intermediate school administration and personnel administration. Contact: John D. Pulliam, Dean, School of Education, University of Montana, Missoula, MT 59812. Deadline April 15.

University of Wisconsin Oshkosh, Residence Hall Director Positions.
Contact: Linda K. Johnson, Assistant Director of Residence Life Staffing, University of Wisconsin Oshkosh, Oshkosh, WI 54901

SMITHSONIAN CAREERS:

The Smithsonian Institution, Washington has the following position openings;

Public Affairs Specialist, Application deadline March 4, 1988

Training Specialist, Emergency Medicine, application deadline - until filled 1988, Contact

Lead Personnel Assistant or Supervisory Personnel Assistant, application deadline - until filled.

Exhibits Specialist (Modelmaking), Application deadline - until filled.

Museum Curator (Science & Technology), Application deadline, Feb. 29.

Museum Curator (Aeronautice), Application deadline, March 16.

Librarian, Application deadline - until filled.

Accounting Technician, Application deadline - April 28, 1988

Construction Engineer, Application deadline - February 28, 1988

Performing Arts Program Director, Application deadline - unitl filled.

Museum Aid, Office of Printing & Photographic Ser., Application deadline - March 8, 1988.

Budget Analyst, Div. of Construction, Application deadline - March 15.

Information Receptionist, Visitor Information, Application deadline May 23, 1988

Lead Information Receptionist, Visitor Information, Application deadline May 23, 1988.

FOR INFORMATION ON THE ABOVE JOB OPENING CALL 24 hour Dial-A-Job (202 357-1450 or 1452

Blackfeet Tribal Personnel Department: WIC Director, for more information contact: Donald D. Pepion, Administrator, Blackfeet Tribal Health Department, 338-2531 or 2541

NOMINATION FORM: PRIORITIES FOR PEOPLE TEAM MEMBER

(May also be used by a person wishing to nominate himself/herself)

I. Nominee information:

Name _____

Address _____

Telephone numbers Day: _____ Evening: _____

In the space below, please note the particular interests/
qualifications/experiences that you feel would make this
nominee an effective team member:

For which team do you nominate this person? (Check one):

Children and Youth Seniors

Economically needy Handicapped

Medicaid Services

II. Nominator information:

Your name _____

Address _____

Telephone numbers Day: _____ Evening: _____

(optional) Please note your own interest/association/
membership in human service activities:

Return this form by February 22, 1988, to:

Governor Ted Schwinden
State Capitol Building
Helena, MT 59620

